

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STEPHEN RUSIECKI,

Plaintiff,

No. 06-CV-14023-DT

vs.

Hon. Gerald E. Rosen

JAY TROMBLEY, Warden,  
et al.,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on January 23, 2008

PRESENT: Honorable Gerald E. Rosen  
United States District Judge

This matter having come before the Court on the November 30, 2007 Report and Recommendation of United States Magistrate Judge Charles Binder recommending that the Court grant Defendants' motion to dismiss and that Plaintiff's Complaint, accordingly, be dismissed due to his failure to exhaust administrative remedies, and no timely objections to the R&R having been filed, and the Court being otherwise fully advised in the premises,

NOW, THEREFORE,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and

Recommendation of November 30, 2007 [Dkt. # 32] is hereby ADOPTED by the Court.

For the reasons stated in the R&R,

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss for Failure to Exhaust Administrative Remedies [Dkt. # 23] is GRANTED. Accordingly,

IT IS FURTHER ORDERED that Plaintiff's Complaint is dismissed in its entirety for failure to exhaust administrative remedies, without prejudice.

s/Gerald E. Rosen  
Gerald E. Rosen  
United States District Judge

Dated: January 23, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 23, 2008, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager